

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OCEAN TRAILS CLO VII, *et al.*,

Plaintiffs,

- against -

MLN TopCo Ltd., *et al.*,

Defendants.

and

Nuveen Alternative Investment Funds SICA V-  
SIF – Nuveen US Senior Loan Fund, *et al.*,

Crossclaim Plaintiffs,

v.

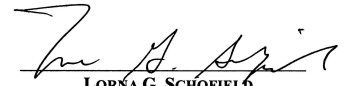
MLN TopCo Ltd., *et al.*,

Crossclaim Defendants.

No. 1:23-cv-05443-LGS

Motion DENIED without prejudice to renewal.  
Defendants shall comply with the Court's Individual  
Rules and must file a pre-motion letter in the manner  
provided in Rule III.C.2. Defendants shall file their  
letter by August 2, 2023, for discussion at the August  
9, 2023, conference.

Dated: July 24, 2023  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

**PARTICIPATING LENDERS' NOTICE OF  
MOTION TO DISMISS NUVEEN LENDERS' CROSSCLAIMS**

PLEASE TAKE NOTICE that, upon all prior pleadings and proceedings, and the accompanying Memorandum of Law, dated July 21, 2023, the Participating Lenders<sup>1</sup> will move this Court, before the Honorable Lorna G. Schofield at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for an order dismissing the Nuveen Lenders' Crossclaims with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6), and for such other and further relief as this Court may deem just and proper.

<sup>1</sup> "Participating Lenders" include each of the lenders listed in Annex A of the Notice of Removal, filed on June 6, 2023 [ECF No. 1].

Dated: New York, New York  
July 21, 2023

**DAVIS POLK & WARDWELL LLP**

By: /s/ Elliot Moskowitz

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